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PPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/912,794	07/24/2001	Ram Krishnan	000146	6355
23696	7590 03/01/2004		EXAMINER	
Qualcomm Incorporated			QUINONES, ISMAEL C	
Patents Department 5775 Morehouse Drive			ART UNIT	PAPER NUMBER
San Diego, CA 92121-1714			2686	
		•	DATE MAILED: 03/01/2004	4

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
	09/912,794	KRISHNAN, RAM				
Office Action Summary	Examiner	Art Unit				
	Ismael Quiñones	2686				
The MAILING DATE of this communication appearing for Reply	pears on the cover sheet with the	correspondence address				
A SHORTENED STATUTORY PERIOD FOR REPL THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a rep - If NO period for reply is specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailin earned patent term adjustment. See 37 CFR 1.704(b).	136(a). In no event, however, may a reply be ti ly within the statutory minimum of thirty (30) da will apply and will expire SIX (6) MONTHS from e, cause the application to become ABANDONI	mely filed ys will be considered timely. n the mailing date of this communication. ED (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 24 J	uly 2001.					
·— · · · · · · · · · · · · · · · · · ·						
,	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims						
4) ⊠ Claim(s) <u>1-31</u> is/are pending in the application 4a) Of the above claim(s) is/are withdra 5) ⊠ Claim(s) is/are allowed. 6) □ Claim(s) <u>1-31</u> is/are rejected. 7) ⊠ Claim(s) <u>7</u> is/are objected to. 8) □ Claim(s) are subject to restriction and/or	wn from consideration.					
Application Papers						
9) The specification is objected to by the Examiner.						
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.						
Applicant may not request that any objection to the	*					
Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the E.	,					
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority application from the International Bureat * See the attached detailed Office action for a list	ts have been received. ts have been received in Applicat ority documents have been receiv u (PCT Rule 17.2(a)).	tion No red in this National Stage				
Attachment(s)						
Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 2.	4) Interview Summan Paper No(s)/Mail D 5) Notice of Informal 6) Other:					

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DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on November 1, 2002 has being considered by the examiner and made of record in the application file.

Priority

2. Applicant's claim for domestic priority under 35 U.S.C. 119(e) is acknowledged.

Claim Objections

3. Claim 7 objected to because of the following informalities:

A roaming table is mentioned wherein a roaming list should be referenced as it is specified on claim 6 in which claim 7 depends (See claims 6-7, page 13). Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. Claims 1-9, 15-19, and 26-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee et al. (U.S Pat. No. 5,974,328).

Regarding claim 1, Lee et al. disclose a mobile communication device (A mobile communication device such as a mobile phone; col. 4, lines 44-45; Fig. 1, item 114, Fig. 2, item 114), comprising: a signal sender (A signal sender such as transmitter; col. 4, lines 49-53; Fig. 2, item 214); a signal receiver (Wherein the mobile communication device comprises a receiver; col. 4, lines 49-52; Fig. 2, item 210); and a memory (Wherein the mobile communication device comprises a control section that includes a memory; col. 5, lines 20-22; Fig. 2, item 236; Fig. 3, item 236), including a static table, in communication with said signal sender and said signal receiver (A collection of data items organized as set tables such as a database stored in memory, wherein said databases are loaded into memory via communications such as RF channel who subsequently comprises an RF section, that further comprises a transceiver; col. 5, lines 55-56; col. 6, lines 6-11; Fig. 3, item 236; Fig. 4 and Fig. 5), wherein said memory matches a location directly to at least one preferred system according to the static table (A preferred system identified by a determined mobile phone location, subsequently selecting the preferred system from a database stored on memory based on the mobile phone determined location; col. 2, lines 29-34).

Regarding **claim 2**, and as applied to claim 1, Lee et al. disclose the aforementioned mobile communication device, further comprising a location converter (Using the SID or System "ID" for determining the mobile communication device location; *col. 6, lines 43-47*).

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Regarding **claim 3**, and as applied to claim 1, Lee et al. disclose the aforementioned mobile communication device, wherein said signal sender and said signal receiver comprise a mobile telephone sender and a mobile telephone receiver (An RF section that comprises a transmitter and a receiver, for means of establishing a wireless communication channel; *col. 4*, *lines 51-62*; *Fig. 2*, *item 214 and 210*).

Regarding **claim 4**, and as applied to claim 1, Lee et al. disclose the aforementioned mobile communication device, wherein said memory comprises at least one digital storage device ("Built-in" computer memories such as ROM, RAM or EEPROM which comprise means for storing digital data or machine language data; *Fig.* 3, item 236).

Regarding **claim 5**, and as applied to claim 1, Lee et al. disclose the aforementioned mobile communication device, further comprising a processor in communication with said signal sender, said signal receiver, and said memory (Wherein the mobile communication device comprises a controller/microprocessor coupled to memory, the transmitter, and the receiver; *col. col. 5, lines 22 and lines 55-62; col. 9, lines 50-55; Fig. 2, item 206 and item 232; Fig. 3, item 232*).

Regarding **claim 6**, and as applied to claim 1, Lee et al. disclose the aforementioned mobile communication device, wherein the static table comprises at least one roaming list (A roaming list such as one stored on the mobile communication device memory that includes attributes in order to select a preferred mobile communication system; *col. 7*, *lines 30-35*; *Fig. 5*) and at least one lookup table (A lookup table such as a

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table stored in memory for accessing or tuning to a preferred mobile communication system; col. 7, lines 27-30; Fig. 4).

Regarding claim 7, and as applied to claim 6, Lee et al. disclose the aforementioned mobile communication device, wherein, upon accessing of a base station by said signal sender (radio transceivers or base stations that comprise the necessary equipment to transmit and receive calls to and from a mobile communication device located in their operating area or cell; *col. 3, lines 57-61; Fig. 1, item 110*), the at least one lookup table matches a known geographic position of the device with respect to the base station with an SID index in the roaming list (Wherein a comparison is made with stored information such as a database when the mobile communication device identifies a SID transmitted by the system; *col. 3, lines 12-20*).

Regarding **claim 8**, and as applied to claim 7, Lee et al. disclose the aforementioned mobile communication device, wherein, upon matching of the geographic position with an SID index, the mobile communication device tunes to a preferred channel of the matched SID index (Once the preferred system is identified with the mobile communication device location; communication is established between the mobile communication device and the mobile communication system; *col. 3, lines 12-20 and lines 63-65*).

Regarding claim 9, and as applied to claim 8, Lee et al. disclose the aforementioned mobile communication device, wherein the device tunes to a preferred channel by a searching of at least two preferred channel sequenced by a preference until a preferred channel is connected to by the mobile communication device (A sequence for

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selecting a preferred system when scanning for a frequency band based on the location of the mobile communication device, in which that sequence might comprise a set of rules of conditions for selecting such preferred system; col. 4, lines 22-30; col. 7, line 60 thru col. 8, line 20).

Regarding claim 15, Lee et al. disclose a mobile communication system, comprising: at least one base station (radio transceivers or base stations that comprise the necessary equipment to transmit and receive calls to and from a mobile communication device located in their operating area or cell; col. 3, lines 57-61; Fig. 1, item 110); and at least one mobile communication device (A mobile communication device such as a mobile phone; col. 4, lines 44-45; Fig. 1, item 114, Fig. 2, item 114), comprising: a signal sender that send signals to said at least one base station (signal sender such as transmitter; col. 4, lines 49-53; Fig. 2, item 214); a signal receiver that receives signals from said at least one base station (Wherein the mobile communication device comprises a receiver; col. 4, lines 49-52; Fig. 2, item 210); and a memory (Wherein the mobile communication device comprises a control section that includes a memory; col. 5, lines 20-22; Fig. 2, item 236; Fig. 3, item 236), including a static table, wherein said memory matches a location of said at least one mobile communication device directly to at least one preferred system (A preferred system identified by a determined mobile phone location, subsequently selecting the preferred system from a database stored on memory based on the mobile phone determined location; col. 2, lines 29-34).

Regarding claim 16, and as applied to claim 15, Lee et al. disclose the aforementioned mobile communication system, wherein said mobile communication

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device further comprises a location converter (Using the SID or System "ID" for determining the mobile communication device location; col. 6, lines 43-47).

Regarding claim 17, and as applied to claim 15, Lee et al. disclose the aforementioned mobile communication system, wherein said mobile communication device further comprises a processor (Wherein the mobile communication device comprises a controller/microprocessor; col. col. 5, lines 22 and lines 55-62; col. 9, lines 50-55; Fig. 2, item 206 and item 232; Fig. 3, item 232).

Regarding claim 18, and as applied to claim 15, Lee et al. disclose the aforementioned mobile communication system, wherein said static table comprises at least one roaming list (A roaming list such as one stored on the mobile communication device memory that includes attributes in order to select a preferred mobile communication system; col. 7, lines 30-35; Fig. 5) and at least one lookup table (A lookup table such as a table stored in memory for accessing or tuning to a preferred mobile communication system; col. 7, lines 27-30; Fig. 4).

Regarding **claim 19**, and as applied to claim 18, Lee et al. disclose the aforementioned mobile communication system, wherein, upon accessing of at least one of said at least one base station by said mobile communication device (radio transceivers or base stations that comprise the necessary equipment to transmit and receive calls to and from a mobile communication device located in their operating area or cell; *col. 3*, *lines 57-61; Fig. 1, item 110*), the at least one lookup table matches a known geographic position of said mobile communication device with respect to at least one of said at least one base station with an SID index in the roaming list (Wherein a comparison is made

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with stored information such as a database when the mobile communication device identifies a SID transmitted by the system; col. 3, lines 12-20).

Regarding claim 26, Lee et al. disclose a method of connecting a mobile communication device to a preferred communication system, comprising: locating the mobile communication device using a location function within the mobile communication device (Location functions or techniques employed for determining the location of the mobile communication device; col. 6, line 59 thru col. 7, line 23); converting the location generated by said locating to a position range (Utilizing the SID to determine the location of the mobile communication device; col. 6, lines 42-45); matching the position range to at least one preferred SID index for the position range using a lookup table (Once the location is determined a correspondent preferred system can be identified; col. 6, lines 45-47); selecting a preferred SID system from a roaming list, wherein the preferred SID system is correspondent to the at least one preferred SID index (Wherein a comparison is made with stored information such as a database or roaming list when the mobile communication device identifies a SID transmitted by the system, consequently choosing a preferred system; col. 3, lines 12-20); and connecting the mobile communication device to a channel correspondent to the preferred SID system identified by the at least one preferred SID index (Wherein the mobile communication device scan for frequency bands to establish a communication channel with the system, once a preferred communication system is identified with the mobile communication device location, communication is established between the mobile communication device and the mobile communication system; col. 3, lines 12-20 and lines 63-65).

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Regarding claim 27, and as applied to claim 26, Lee et al. disclose the aforementioned method, wherein at least two preferred SID indexes match the position range (Once the location of the mobile communication device is determined, one or more preferred systems can be identified; col. 6, line 59 thru col. 7, line 4), further comprising sequentially searching, according to an order of preference, at least two channels correspondent to the at least two preferred SID indexes before said selecting (A sequence for selecting a preferred system when scanning for a frequency band based on the location of the mobile communication device, in which that sequence might comprise a set of rules of conditions for selecting such preferred system; col. 4, lines 22-30; col. 7, line 60 thru col. 8, line 20).

Regarding claim 28, Lee et al. disclose a mobile communication device (A mobile communication device such as a mobile phone; col. 4, lines 44-45; Fig. 1, item 114, Fig. 2, item 114), comprising: a signal sender (A signal sender such as transmitter; col. 4, lines 49-53; Fig. 2, item 214); a signal receiver (Wherein the mobile communication device comprises a receiver; col. 4, lines 49-52; Fig. 2, item 210); and a processor (Wherein the mobile communication device comprises controller/microprocessor coupled to memory; col. col. 5, lines 22 and lines 55-62; col. 9, lines 50-55; Fig. 2, item 206 and item 232; Fig. 3, item 232), including a memory, communicatively connected to said signal sender and said signal receiver (A transceiver communicatively connected to a transceiver/ "signal sender and signal receiver"; col. 9, lines 50-55; Fig. 2), which processor includes thereon computer software that performs the steps of: converting a location of the mobile communication device to a position

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range (Wherein the mobile communication device comprises computer software such as computer programs that are stored in the mobile communication device memory, consequently executed by the microprocessor; said computer programs being an inference engine, a data collection, an induction engine, a clock, an expert system and a rule base. The data collection storing location information into a location database; col. 5, lines 53-67; Fig. 3, items 232 and 302-312); matching the position range to at least one preferred SID index for the position range using a lookup table, wherein the lookup table is stored in the memory (Wherein an inference engine matches the mobile communication device location information with a criteria or set of rules established by the rule based program; col. 6, lines 32-47); selecting a preferred SID from a roaming list (Fig. 4 and Fig. 5), wherein the preferred SID is correspondent to the at least one preferred SID index, wherein the roaming list is stored in the memory (Wherein a comparison is made with stored information such as a database when the mobile communication device identifies a SID transmitted by the system; col. 3, lines 12-20); and connecting the mobile device to a channel correspondent to a preferred system indicated by the preferred SID (Once the preferred system is identified with the mobile communication device location; communication is established between the mobile communication device and the mobile communication system; col. 3, lines 12-20 and lines 63-65).

Regarding claim 29, and as applied to claim 28, Lee et al. disclose the aforementioned mobile communication device, wherein the lookup table comprises a plurality of position ranges (See col. 7, lines 27-29; Fig. 4, item 404), and a plurality of

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SID indexes (See col. 7, lines 27-29; Fig. 4, item 402), and wherein at least one SID index is matched to each position range (Once the location is determined a correspondent preferred system can be identified; col. 6, lines 45-47).

Regarding **claim 30**, and as applied to claim 29, Lee et al. disclose the aforementioned mobile communication, wherein the roaming list comprises a plurality of available systems listed according to at least one system characteristic of each system (See col. 7, lines 30-35; Fig. 5, item 502), which system characteristic includes at least a preferential status of each system (See col. 7, lines 30-35; Fig. 5, item 514), wherein each system is keyed to a SID (See col. 7, lines 30-35; Fig. 5, item 502).

Regarding claim 31, Lee et al. disclose a system for connecting a mobile communication device to a preferred communication system (A preferred system identified by a determined mobile phone location, subsequently selecting the preferred system from a database stored on memory based on the mobile phone determined location; col. 2, lines 29-34), comprising: means for locating the mobile communication device (Means for locating or techniques employed for determining the location of the mobile communication device; col. 6, line 59 thru col. 7, line 23); means for converting the location generated by said locating to a position range (Utilizing the SID to determine the location of the mobile communication device; col. 6, lines 42-45); means for matching the position range to at least one preferred SID index for the position range (Once the location is determined a correspondent preferred system can be identified, by means of matching the mobile communication device location information with a criteria or set of rules established by a rule based program, col. 6, lines 32-47); means for

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selecting the preferred SID, wherein the preferred SID is correspondent to the at least one preferred SID index (Wherein a comparison is made with stored information such as a database or roaming list when the mobile communication device identifies a SID transmitted by the system, consequently choosing a preferred system; *col. 3, lines 12-20*); and means for connecting the mobile communication device to a channel correspondent to a preferred system indicated by the preferred SID (Once the preferred system is identified with the mobile communication device location; communication is established between the mobile communication device and the mobile communication system; *col. 3, lines 12-20 and lines 63-65*).

Claim Rejections - 35 USC § 103

- 6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 7. The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
 - 1. Determining the scope and contents of the prior art.
 - 2. Ascertaining the differences between the prior art and the claims at issue.
 - 3. Resolving the level of ordinary skill in the pertinent art.
 - 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

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8. Claims 10-14 and 20-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (U.S Pat. No. 5,974,328) in view of Dennison et al. (U.S Pat. No. 6,324,404).

Regarding **claim 10**, and as applied to claim 1, Lee et al. disclose the aforementioned mobile communication device. Lee et al. fail to clearly specify wherein the mobile communication device, further comprises a locator.

However in the same field of endeavor, Dennison et al. disclose a mobile communication device, comprising a locator (Means for locating or determining the precise position of a mobile communication device, wherein said means includes a GPS receiver; *col. 9, lines 20-21 and lines 37-78*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Lee et al. mobile communication device to comprise a locator such as a GPS receiver as taught by Dennison et al. For the purpose of, accurately ascertaining the exact geographic location of a mobile communication device for means of providing a most efficient service, such as proper communication process management.

Regarding **claim 11**, and as applied to claim 10, Lee et al. in view of Dennison et al. disclose a mobile communication device, further comprising a locator. In addition Dennison et al. disclose wherein said locator utilizes GPS to locate the mobile communication device (Means for locating or determining the precise position of a mobile communication device, wherein said means includes a GPS receiver; *col. 9, lines 20-21 and lines 37-78*).

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Regarding claim 12, and as applied to claim 10, Lee et al. in view of Dennison et al. disclose a mobile communication device, further comprising a locator. In addition Dennison et al. disclose wherein said locator utilizes triangulation to locate the mobile communication device (Means for locating or determining the precise position of a mobile communication device, wherein said means include location techniques such as triangulation; *col.* 16, lines 33-38).

Regarding claim 13, and as applied to claim 10, Lee et al. in view of Dennison et al. disclose the aforementioned mobile communication device comprising a location converter, further comprising a locator. In addition Dennison et al. disclose wherein said location converter converts a location generated by said locator into a geographic region in the static table (Communication data that comprises computerized latitude and longitude tables which are then compared to geographic location tables; *col.* 11, lines 28-34).

Regarding claim 14, and as applied to claim 13, Lee et al. in view of Dennison et al. disclose the aforementioned mobile communication device comprising a location converter, further comprising a locator. In addition Lee et al. disclose, wherein said location converter comprises a software program resident in said memory (Computer programs resident in the mobile communication device memory, subsequently executed by the mobile communication device microprocessor; col. 5, lines 53-67; Fig. 3, items 232 and 302-312).

Regarding **claim 20**, and as applied to claim 15, Lee et al. in view of Dennison et al. disclose the aforementioned mobile system comprising at least one mobile

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communication device. In addition Dennison et al. disclose the aforementioned mobile communication system, further comprising at least one locator (Means for locating or determining the precise position of a mobile communication device; *col. 9, lines 7-16*).

Regarding claim 21, and as applied to claim 20, Lee et al. in view of Dennison et al. disclose the aforementioned mobile system comprising at least one mobile communication device, further comprising a locator. In addition Dennison et al. disclose wherein said locator utilizes GPS to locate said mobile communication device (Wherein the means for locating or determining the precise position of a mobile communication device includes a Global Positioning System/GPS; col. 9, lines 7-18).

Regarding **claim 22**, and as applied to claim 15, Lee et al. in view of Dennison et al. disclose the aforementioned mobile communication system. In addition Dennison et al. disclose the aforementioned mobile communication, comprising at least three base stations, wherein said locator utilizes triangulation to locate said mobile communication device (Means for locating or determining the precise position of a mobile communication device, wherein said means include location techniques such as triangulation, in which at least three base stations are employed in order ascertain the position of the communication device employing such technique; *col. 16, lines 33-38*).

Regarding **claim 23**, and as applied to claim 20, Lee et al. in view of Dennison et al. disclose the aforementioned mobile communication system comprising at least one mobile communication device, wherein the mobile communication device comprises a locator. In addition Dennison disclose wherein said locator locates said mobile

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communication device (Means for locating or determining the precise position of a mobile communication device; col. 9, lines 7-16).

Regarding claim 24, and as applied to claim 23, Lee et al. in view of Dennison et al. disclose the aforementioned mobile communication system comprising at least one mobile communication device, wherein the communication device comprises a locator. In addition Dennison et al. disclose wherein said locator utilizes GPS to locate said mobile communication device (Means for locating or determining the precise position of a mobile communication device, wherein said means includes a GPS receiver; col. 9, lines 20-21 and lines 37-78).

Regarding claim 25, and as applied to claim 20, Lee et al. in view of Dennison et al. disclose the aforementioned mobile communication system, further comprising a location converter. In addition Dennison et al. disclose wherein said location converter converts a location generated said mobile communication device by said locator into a geographic region in the static table (Communication data that comprises computerized latitude and longitude tables which are then compared to geographic location tables; col. 11, lines 28-34).

Conclusion

- 9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - Papadimitriou et al. (U.S. Pat. No. 6,385,458), Priority handling of location a. services in a mobile communications network

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b. Zicker (U.S. Pat. No. 5,159,625), Method of selecting the cellular system with which a cellular mobile radiotelephone communicates

10. Any response to this Office Action should be faxed to (703) 872-9306 or mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Hand-delivered responses should be brought to

Crystal Park II

2021 Crystal Drive

Arlington, VA 22202

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- 11. Any inquiry concerning this communication on earlier communications from the Examiner should be directed to Ismael Quiñones whose telephone number is (703) 305-8997, and fax number is (703) 746-9818. The Examiner can normally be reached on Monday-Friday from 8:00am to 5:00pm.
- 12. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Marsha D. Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9301.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose number is (703) 305-4700 or call customer service at (703) 306-0377.

Ismael Quiñones

I.Q.

February 19, 2004

PAPAEL PEREZ-GUTIERREZ

2/21/04